

RECORDATION NO. 27197-B FILED

NOV 15 '07 -11 30 AM

SURFACE TRANSPORTATION BOARD

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ELIAS C. ALVORD (1942)
ELLSWORTH C. ALVORD (1964)

OF COUNSEL
URBAN A. LESTER

November 15, 2007

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
Washington, D.C. 20423

Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of an Order to Appear for Examination, dated as of October 30, 2007 a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Judgment being filed with the Board under Recordation Number 27197.

The names and addresses of the parties to the enclosed document are:

Judgment Creditor: Helm Financial Corporation
505 Sansome Street, Suite 1800
San Francisco, CA 94111

Judgment Debtor: Carrizo Gorge Railway, Inc.
2295 Fletcher Parkway, Suite 101
El Cajon, CA 92020

Mr. Vernon A. Williams
November 15, 2007
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A description of the railroad equipment covered by the enclosed document is:

All property of Defendant, including, but not limited to 14 open top hopper cars HATX 45170 – HATX 45183.

A short summary of the document to appear in the index is:

Order to Appear for Examination by the Superior Court of the State of California, County of San Diego, East County Division, on behalf of Helm Financial Corporation, Plaintiff, against Carrizo Gorge Railway, Inc., Defendant, covering all property of Defendant.

Also enclosed is a check in the amount of \$35.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alvord", with a long horizontal flourish extending to the right.

Robert W. Alvord

RWA/sem
Enclosures

NOV 15 '07

-11 30 AM

AT-138, EJ-125

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Niles R. Sharif (SBN 135864) 9001 Grossmont Blvd. La Mesa, CA 91941		FOR COURT USE ONLY SURFACE TRANSPORTATION BOARD	
TELEPHONE NO. (619) 463-9111 FAX NO.: ATTORNEY FOR (Name): Judgment Creditor HELM FINANCIAL CORPORATION			
NAME OF COURT San Diego Superior Court STREET ADDRESS 250 East Main Street MAILING ADDRESS CITY AND ZIP CODE El Cajon 92020 BRANCH NAME East County Division			
PLAINTIFF: Helm Financial Corporation			
DEFENDANT: Carrizo Gorge Railway, Inc.			
APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION <input checked="" type="checkbox"/> ENFORCEMENT OF JUDGMENT <input type="checkbox"/> ATTACHMENT (Third Person) <input checked="" type="checkbox"/> Judgment Debtor <input type="checkbox"/> Third Person		CASE NUMBER: G10036664	

ORDER TO APPEAR FOR EXAMINATION

- TO (name): Sheila LeMire, President of Judgment Debtor Carrizo Gorge Railway, Inc.
- YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
 - ☒ furnish information to aid in enforcement of a money judgment against you.
 - ☐ answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
 - ☐ answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date	DEC 17 2007	Time:	8:30a	Dept. or Div.:	4	Rm.:	4th Floor
Address of court		<input type="checkbox"/> shown above		<input type="checkbox"/> is:			

- This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: OCT 30 2007

TIMOTHY W. TOWER
JUDGE OR REFEREE

This order must be served not less than 10 days before the date set for the examination.

IMPORTANT NOTICES ON REVERSE

APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION

- ☒ Judgment creditor ☐ Assignee of record ☐ Plaintiff who has a right to attach order
applies for an order requiring (name): Sheila LeMire, Defendant's President to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.
- The person to be examined is
 - ☒ the judgment debtor.
 - ☐ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
- The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination
- ☐ This court is not the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached
- ☐ The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: October 1, 2007

Niles R. Sharif (SBN 135864)

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

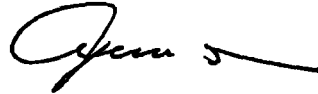
(Continued on reverse)

CERTIFICATION

I, Robert W. Alvord, attorney licensed to practice in the State of New York and the District of Columbia, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document.

Dated: _____

11 / 15 / 07



Robert W. Alvord